

ury warrants taken in payment of State dues. Laid on table.

A bill to regulate the issuing of Treasury warrants. Read 2nd time. Rule suspended, read 3rd time and passed.

A bill for relief of Judge N. M. Burford. Read 2nd time. Mr. Weatherford offered the following amendment: "notwithstanding the notice of his failing to hold his courts." Adopted.

Mr. Finlay offered the following amendment: "provided that said Burford shall not receive more than the rate of \$1750 per year nor for a longer time than until his successor shall qualify."

Mr. Guinn offered a substitute for the bill, whereupon the previous question was ordered. The bill was passed to 3rd reading. Rule suspended, read 3rd time and passed.

The Senate then adjourned until 10 o'clock A. M. tomorrow.

Thursday, January 2, 1862.

Senate met pursuant to adjournment. Prayer by the Chaplain. Roll called, quorum present. Journal of yesterday was read and adopted.

The Committee on Private Land Claims reported the following bills and recommended their passage:

Bill for relief of Andrew Bennett.

Bill for relief of heirs of Lewis Powell.

Bill for relief of Mrs. Ann E. Baxter.

Bill for relief of Levi English.

Mr. Harcourt, Chairman of Judiciary Committee, reported the following bills and recommended their passage:

Bill to regulate the entry of headrights by the county courts.

Bill to amend an Act to ascertain and adjudicate certain legal claims for land against the State between the Nueces River and the Rio Grande, approved February 11, 1860.

Bill to repeal an Act to authorize and require all forced sales of real estate, &c., &c., in the county of Nueces to be made at the front door of the La Retama House, &c.

Joint resolution providing for the sale of Oldham & White's Digest.

And the following bills:

Bill to punish speculations in certain cases, as unnecessary legislation.

Bill to prescribe the time, manner, and place of choosing Senators to the Congress of the Confederate States,

recommended that it do not pass because the Senate had rejected a bill containing the same substance.

Bill to amend the 1st section of Act to authorize the cancellation of patents in certain cases, recommending that it do not pass.

Also the following bill with amendment:

Bill to provide for the perpetuation of testimony during the time limited in an Act suspending all laws for the collection of debts, &c., &c. Amendment: strike out "the newspaper published in the nearest county where such suit might be entitled" and insert "such newspaper of general circulation as may be designated by the clerk of said court."

The committee also made the following report upon the memorial of George W. Paschal relative to the compilation of a new digest of the laws of Texas, &c.:

They are much pleased with the plan and arrangement proposed by the memorialist and have great confidence in his entire fitness for the work. They, however, have not felt at liberty to recommend that a contract shall be entered into by the State with a memorialist upon the terms proposed but have thought it more proper to leave the matter open for laudable competition. They, therefore, report the following bill and recommend its passage: a bill to provide for a digest of the laws of Texas. Read 1st time.

Mr. Branch, Chairman of Committee on Education, reported a bill donating fifty acres of land to the Carrasco Creek School and recommended that it do not pass.

Mr. Erath from Finance Committee reported and recommended with amendments the passage of a bill to provide for auditing and settling all claims against the State on account of volunteer companies called out by the Governor and provide for the payment thereof.

Mr. Guinn, Chairman of Committee on Claims and Accounts, reported upon the petition of F. V. Brichta, a bill for his relief which was read 1st time.

Mr. Shelley, as one of the Committee on Judiciary, made the following minority report:

A minority of the Committee on the Judiciary to whom was referred a bill for the relief of Eli Kirk respectfully dissent from the report of the majority adverse to the passage of said bill.

The minority would respectfully submit that whatever may be the character of the claim of Mr. Eli Kirk against the State, whether just or unjust, it has been presented to and entertained by every legislature since its inception and

tween citizen and citizen. To
to audit and allow the claims
it. The Legislature may refuse
obtain redress in the courts
but the Legislature cannot pass
for relief and of having his
manner. This claim has already
quadruple what would have been
long since, and as a matter of
are of opinion that this claim
the legislative to the judicial
of Mr. Kirk may be finally
For this purpose the minority
of the majority report and the

The Committee on Enrolling
ing properly enrolled and
Governor:

Bill for relief of W. A. G.

Bill to amend 11th section
ings in county courts pertaining
sons, passed March 20, 1848.

A message was received from the House informing the Senate of the passage of the following bills:

Bill to amend section 5 of the Act relative to the organization of the lunatic asylum.

Bill to protect public buildings.

A bill for auditing and settling all claims against the State on account of volunteers called out by the Governor and Committee of Safety was, on motion of Mr. Erath, read 2nd time.

The amendments of Committee were adopted and are as follows:

In caption after "safety" insert "and for defence of the State."

In 18th line, after "commissary supplies" insert "munitions of war for the construction of fortifications and all defences and monies or supplies advanced for and used by any of said troops."

Add to end of 2nd section: "provided that this Act shall not be so construed as to allow the payment of expenses at the camps of instruction or any troops not called into actual service. The Comptroller shall keep a separate register of all claims presented under this Act and properly chargeable to the Government of the Confederate States and arrange the vouchers and accounts as directed by laws of said government for presentation thereto."

Section 3—"that the sum of \$300,000 or so much thereof as may be necessary be and is hereby appropriated out of any money in the Treasury not otherwise appropriated to carry out the provisions of this Act."

Mr. Erath offered the following amendment: "provided that such articles are consistent with the usage and regulations of the army with reference to the nature of the service." Adopted.

Mr. Lea offered the following amendment: strike out "for subsistence and forage." Adopted.

Mr. Guinn offered the following amendment: "provided further that all the regiments called out by the late Governor shall receive pay from the day the regiments were mustered into the State service—provided that the pay of Colonel W. C. Young's regiment shall commence from the day they received marching orders from the Governor."

YEAS—Messrs. Branch, Burnett, Casey, Crawford of Fannin, Darden, Durant, Finlay, Guinn, Hartley, Lea, Moore, Scarborough, Selman, and Wheeler—[14].

NAYS — Messrs. Boyd, Cook, Erath, Graham, Harcourt, Mitchell, Obenchain, Reed, Shelley, and Weatherford—10.

Mr. Durant offered the following amendment: "provided that in all cases it shall appear that the troops were called out by the proper authority and that due returns have been filed in the proper department of the State."

Mr. Shelley moved to strike out all after "authority." Carried. The yeas and nays were then called on the adoption of the amendment as follows:

YEAS—Messrs. Branch, Burnett, Crawford of Fannin, Darden, Durant, Hartley, Parsons, Scarborough, and Selman—9.

NAYS—Messrs. Beasley, Boyd, Cook, Erath, Graham, Guinn, Harcourt, Lea, Mitchell, Moore, Shelley, Weatherford, and Wheeler—13.

Mr. Hartley offered the following amendment: after the word "monies" insert "advanced for the same and for monies." Adopted.

Mr. Hartley moved to reconsider the vote adopting amendment offered by Mr. Guinn. Lost. The bill was then ordered to a third reading. Rule suspended, read 3rd time and passed.

A bill to prescribe what kind of funds may be received in payment of taxes. Read 3rd time and passed.

Mr. Lea, Chairman of Committee on Finance, made the following report:

The Committee on Finance begs leave to report a bill concerning the disposal of certain funds therein described. This bill is part of the series of financial bills which have been reported in parts, and this is submitted as naturally consequent on the other bills which have been reported of various kinds which must be received by officers of the State and counties, cities, and towns under the other proposed legislation for receiving for public dues Treasury warrants, and Confederate notes, and coupons, and which require a modification of the law so as to authorize the officers to dispose of paper funds in prescribed ways while restraining the disposal of special funds and providing for a different disposal thereof.

A bill to provide for a digest of the laws of Texas. Read 2nd time. On motion of Mr. Branch the blank was filled with "1st day of July, 1863." The bill was then made special order for 11 o'clock Saturday.

The Senate then adjourned until 3 o'clock P. M.

3 o'clock P. M.

Senate met pursuant to adjournment. Roll called, quorum present.

The House amendments to the following Senate bills were concurred in, viz.:

A bill for the relief of purchasers of University lands.

A bill for relief of William V. Hughes, assignee of Jonathan Bird.

The Senate's bills for the establishment of a more perfect system of patrols was adopted as a substitute for the House bill on the same subject. It was then amended as follows, viz: by striking out "3 weeks" and inserting "four weeks," by striking out "20" and inserting "not less than 10 nor more than 50 dollars," by striking out "10" and inserting "not less than 5 nor more than 20 dollars," by striking out "25" and inserting "not less than 10 nor more than 50," and inserting "not less than 5 nor more than 20." The bill was then ordered to a 3rd reading. It was further amended by inserting "the second week in April next and during the second week of January of each year thereafter." Read 3rd time and passed.

A bill providing for summary proceedings against justices of the peace in certain cases. Read 2nd time and passed to 3rd reading. Rule suspended, read 3rd time and passed.

Mr. Selman made the following report:

The joint committee appointed to examine the books and accounts of the Comptroller and Treasurer have discharged the duty assigned them and submit the following report as the result of their labors.

The committee obtained from the Comptroller a statement showing the amount for which the Treasurer was accountable on the 9th day of December, 1861, as follows:

REVENUE OF THE STATE

In specie	\$	15,911.50	
Ten per cent interest warrants		1,154.01	\$ 17,065.51

UNIVERSITY LAND SALES

In specie	\$	1,520.40	
Ten per cent interest warrants		5,754.63	\$ 7,275.03

SCHOOL FUND

In bonds of railroad companies	\$1,635,500.00
United States bonds	782,000.00

successions
In specie, assessors' fees
In specie, property escheated
to the State

Add amount of specie received
from 1st to 9th, December

RECAPITULATION

In bonds of railroad companies
In United States bonds
In coupons due on directly advanced bonds
In ten per cent interest warrants
In specie

Total chargeable to Treasury
December 9, 1861

In the above statement
the amount of funds on hand
the books of both offices were
received by him from that date
but not credited with the

1st to the 9th, December, 1861. The committee have credited the Treasurer with these disbursements.

To meet the amount for which the Treasurer is chargeable they find in the vaults of the Treasury the following:

In bonds of railroad companies	\$1,516,500.00	
In receipt of Loan Commissioner Nichols for railroad bonds withdrawn under Act of April 8, 1861	150,000.00	\$1,666,500.00
In United States Bonds		782,000.00
In coupons due on directly above		17,675.00
In ten per cent interest warrants		17,434.60
In specie		73,870.41
In Treasury warrants paid from 1st to 9th, Dec., 1861, viz.:		
In specie of State revenue	2,775.43	
In specie of school fund	4,423.08	
In specie of county tax due counties	830.03	8,028.54
In receipts for payments to members and officers of the present Legislature		9,795.00
TOTAL		\$2,575,303.55

The committee found on inspection that the books and accounts of the Comptroller and Treasurer have been neatly kept and so far as they were enabled to judge, in the most approved style and acting on each other as a safe and admirable check.

A bill for relief of Joseph P. Sneed, assignee of Thomas Grubbs. Read 2nd time, amendment of committee adopted, and bill ordered to be engrossed. Rule suspended, read 3rd time, and passed.

A bill for relief of railroad companies. Read 3rd time and passed by the following vote:

YEAS—Messrs. Beasley, Branch, Cook, Crawford of Fannin, Crawford of Jasper, Durant, Erath, Finlay, Guinn, Harcourt, Houston, Jordan, Lea, Mitchell, Moore, Parsons, Reed, Scarborough, Selman, and Shelley—20.

NAYS—Messrs. Boyd, Burnett, Graham, Hartley, Obenchain, Weatherford, and Wheeler—7.

Mr. Scarborough offered the following resolution: “Re-

solved, That during the remainder of the present session the Senate will hold evening sessions and that at such sessions the Secretary shall proceed to call the roll of Senators commencing in the middle of the list and call one name each way alternately, when such Senator shall have the right to call up one bill for the consideration of the Senate which shall be disposed of."

Mr. Hartley offered a substitute: "that the bills on the Speaker's table be taken up and acted on in their order."

The previous question being called and ordered, Mr. Scarborough's resolution was adopted.

The following bills were reported correctly engrossed:
Bill for relief of Sampson & Henricks and S. M. Swenson.

Bill for relief of Artemicia Wilson.

A bill to define and permanently establish the northern boundary of Wood County. Read 2nd time and ordered to be engrossed. Rule suspended, read 3rd time and passed.

The Committee on Enrolled Bills reported correctly enrolled, properly signed, and presented to the Governor a bill authorizing and requiring the Commissioner of General Land Office to issue patent on Unconditional Certificate No. 16 to Josiah Bradshaw, &c.

Mr. Erath introduced a bill appropriating certain funds in the Treasury for certain purposes. Read 1st and 2nd times and referred to Committee on Finance.

Mr. Wheeler introduced a bill to amend an Act to incorporate the Eastern Texas Railroad Company. Read 1st and 2nd times and referred to Committee on Internal Improvement.

The Senate then adjourned until 10 o'clock A. M. tomorrow.

Friday, January 3, 1862.

Senate met pursuant to adjournment. Prayer by the Chaplain, roll called, quorum present. The journal of yesterday read and adopted.

Mr. Hartley, Chairman of Committee on State Affairs, reported the following bills and recommended their passage:

A bill regulating fees for swimming cattle at ferries.

A bill to incorporate the Aransas Salt Works Company.

A bill to amend the 22nd section of an Act for the erection and support of a lunatic asylum, approved August 28, 1856.